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CLASSICS OF INTERNATIONAL LAW. Washington: The Carnegie Institute, 1918.

James Brown Scott, Esq., whose work in the field of international law has earned him an international reputation, proposed in 1906 in a letter to the president of the Carnegie Institute, a plan for the publication of a series of books aptly described as the Classics of International Law. In no field of jurisprudence will the lawyer of the next decade or two find more important and fruitful labor awaiting him than in the field of international law. As they emerge from the war, the nations, whatever be their form of government, and especially if it be democratic, must formulate and develop, along the lines laid down by the classical writers, a new and enlarged code of law which shall measurably serve to take the place of the sword as the arbiter of their differences and disputes. To the many students, to whom these problems of international law will prove attractive, and who may devote themselves to the attempts at their solution, the Carnegie Institute has rendered an inestimable service in publishing this splendid series. No praise can exaggerate the merits of the works, the wisdom of their selection, the mode of their presentation. All the masters who have contributed to the foundation and development of this great branch of law, will be represented in this series, grouped around Hugo Grotius, whose work is the grand focal point in which the labors of his predecessors culminate and from which the works of his successors radiate.

With photographic facsimile reproduction of the best editions of the original texts, with an ample critical apparatus of errata, emendations, notes and citations, and with a carefully prepared, scholarly and accurate translation of such texts as are printed in foreign languages, the reader will have at hand in this series, for the first time, a practically complete working library of the most indispensable material. Splendidly printed on excellent paper and well bound in buckram, the ancient masters are worthily dressed for their presentation to the moderns who shall attend their levee, or in some cases their resurrection.

The series begins with the publication of the work of Richard Zouche: *Juris et Judicij Fecialis, Sive, Juris Inter Gentes et Quaestionum de Eodem Explicatio*. Edited by Sir Thomas Erskine Holland, with a translation of the text by J. L. Brierly, in two volumes. Pp. xvi, 204 and xvii, 186. Oxford University Press, American Branch, New York, sales agent.

Zouche was an Englishman and one of the immediate successors of Grotius, and termed the "second founder of the law of nations." Dr. Oppenheim called his book "the first manual of the positive law of nations," and yet its text was practically inaccessible and unfamiliar even to students and teachers of international law. The text here reproduced is from a copy of the original edition of 1650 in the possession of the editor, and is accompanied by a brilliant reproduction of the beautiful portrait of the author by Cornelius Jansen, representing him as a man of thirty-three, in ruff and doublet, with refined features of high intellectual type and wearing the pointed beard characteristic of the time. Zouche was the first to adopt the title of "*jus inter gentes*," which in its translation "international law," has largely superseded the older designation of "*jus gentium*," which still lingers in "*droit des gens*" and "*völkerrecht*." He was also the first to recognize that war, with which his predecessors had mainly busied themselves, is but a

means whereby, in the last resort, the rights which nations enjoy in time of peace may be vindicated.

The second work in this series is that of Balthazar Ayala: *De Jure et Officiis Bellicis et Disciplina Militari*. Edited by John Westlake, with a translation of the text by John Pawley Bate in two volumes. Pp. xxvii, 226, and xvi, 245.

Westlake points out that Grotius marked Ayala and Gentili (whose work will appear in this series), as his two chief predecessors. Of these Ayala is first in time. Ayala was born at Antwerp of Spanish parentage and held the office of auditor, *i. e.*, military judge and judicial adviser to the chief of the army, something like our judge-advocate-general, by appointment of Philip II of Spain. His book was written and published while he was holding this office. It is less a treatise than a collection of authorities and examples from the literature of all times. Westlake suggests that the collection of data was made before our author took office, and that he then found it impossible to work them out systematically and, therefore, threw them into their present form rather than risk the loss of their publication. Nothing more clearly marks the rudimentary conception of neutrality entertained in Ayala's time, than the assertion of the right of free passage through the territory of another without doing harm, the chief authority for which is the second chapter of Deuteronomy, giving an account of the episode with Sihon, king of the Amorites. The chapter on keeping faith with an enemy contains a good discussion of the subject, and it will perhaps offer some explanation of the moral blindness of the ruler who, believing himself divinely ordained, refuses to conform to the laws that govern the relation of less favored personalities with each other. As Westlake says, "the common humanity on which the duty of keeping faith must be founded, is not felt by those who identify themselves with the divine will to which they attribute institutions, to exist between them and their opponents." Princes of the state as well as of the church, have not hesitated to break their pledged word when their interests deemed it necessary, for God being with them they could do no wrong. Apart from its value as a source book, this book of Ayala is a most fascinating collection of rich material for the student of folk-psychology and of political ethics.

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AMERICAN CITY PROGRESS AND THE LAW. By Howard Lee McBain. Pp. viii, 269. New York: Columbia University Press, 1918.

This volume deals particularly with the relation of the law to American city progress, and the large field of the fiscal, political, economic and social aspects of the subject are not especially referred to, except in so far as they may be necessary in considering the views of the court, which have been predicated upon them. The first two chapters, devoted to home rule by legislative grant, and the breaking down of the rule of strict construction of municipal powers deal with fundamental principles rather than with details of judicial interpretation. Beginning with the statement that the city is a